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11 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 FARZAM TOUDEH FALLAH,)
13 Plaintiff,) No. C 07-1477 JF
14 v.)
15 ALBERTO GONZALES, United States) PARTIES' JOINT REQUEST TO BE
Attorney General, U.S. Department of Justice;) EXEMPT FROM FORMAL ADR
16 MICHAEL CHERTHOFF, Secretary of the) PROCESS
Department of Homeland Security;)
17 EMILIO T. GONZALEZ, Director of United)
States Citizenship and Immigration Services;)
18 DAVID STILL, San Francisco District)
Director, United States Citizenship and)
19 Immigration Services;)
ROBERT MUELLER, III, Director of the)
20 Federal Bureau of Investigation,)
Defendants.)
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23 Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute
24 Resolution Procedures in the Northern District of California," or the specified portions of the ADR
25 Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution
26 options provided by the court and private entities, and considered whether this case might benefit
27 from any of them. Here, the parties agree that referral to a formal ADR process will not be
28 beneficial because this mandamus action is limited to plaintiff's request that this Court compel

Parties' Joint Request for Exemption

C07-1477 JF

1 defendants to adjudicate the application for adjustment of status. Given the substance of the action
2 and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and
3 unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request
4 the case be removed from the ADR Multi-Option Program and that they be excused from
5 participating in the ADR phone conference and any further formal ADR process.

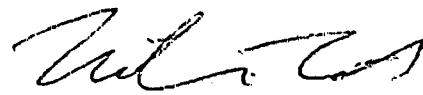
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7 Dated: May 24, 2007

Respectfully submitted,

8 SCOTT N. SCHOOLS
9 United States Attorney

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11 EDWARD A. OLSEN
12 Assistant United States Attorney
13 Attorneys for Defendants

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15 Date: May 24, 2007


JUSTIN FOK
16 Attorney for Plaintiff

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18 ORDER

19 Pursuant to stipulation, IT IS SO ORDERED.

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21 Date: 5/29/07


JEREMY FOGEL
United States District Judge